

National Wild Horse and Burro Advisory Board Meeting  
Sacramento, CA

April 10, 2006

Board Members Present: Robin Lohnes, Renee Taylor, Larry Johnson, Gary Zakotnik, Dr. Vernon Dooley, Dr. Boyd Spratling, Hilleary Bogley and Dr. Wayne Burkhardt. Washington Office Bureau of Land Management (BLM) Staff: Ed Shepherd, Deputy Assistant Director, Renewable Resources and Planning; Jeff Rawson, Don Glenn, Sally Spencer, EK James, Dean Bolstad, Bea Wade, Lili Thomas, Janet Neal, and Ramona DeLorme. California State Office: Jim Abbott, Associate State Director, Tom Pogacnik, and Jason Williams. USDA, Forest Service Representative: Toni Strauss.

Robin Lohnes opened the meeting at 8:05 a.m., April 10, 2006. She introduced the Advisory Board members to the public.

Jim Abbott, California Associate State Director, welcomed the Board to California. He briefed the group on the history and development of the Sacramento, CA area. He said that the California wild horse and burro program is served by dedicated employees and a large group of volunteers that has increased from 40 to more than 200 since 2004. There is large public support for the local wild horse and burro program. He reported that California has a population of about 3,000 wild horses and burros and with the upcoming gathers is looking forward to being at appropriate management level in 2007. He spoke positively about the California Volunteer Pilot Project. He hopes that the Pilot Project experience can serve as a model and be exported to other states. Through the assistance of volunteers, California averages about 1,000 adoptions per year.

Ed Shepard, Deputy Assistant Director, Renewable Resources and Planning, welcomed the public to the meeting and gave a Washington, DC office update. He reported that Secretary Norton had resigned on March 31, 2006, and that Idaho Governor Dirk Kempthorne is the nominee for Secretary of the Interior. Mr. Kempthorne is being briefed for his May 2006 confirmation hearing. He said that implementation of the Energy Policy Act continues to be a high priority in the Department and that BLM manages about one-third of the nation's energy resources. Other priorities are land health and recreation management that is growing exponentially in the West. The Wild Horse and Burro Program is one of the Director's high priorities and the goal is to achieve AML in 2007.

November Minutes

The Board approved the November 7, 2005 minutes.

Approved 07/17/06

### Pending Litigation

Don Glenn provided an update on six pending lawsuits and Interior Board of Land Appeal (IBLA) cases:

1. Fund for Animals lawsuit is pending in the U.S. Court of Appeals in the Washington, DC Circuit.
2. Pryor Mountain (MT) fertility control application: IBLA appeal was withdrawn.
3. Red Rock Herd Management Area (HMA) Appropriate Management Level (AML) (NV): IBLA appeal pending.
4. Rock Creek HMA (NV): AML level and livestock decision overturned on appeal.
5. Dog Skin HMA (NV) Gather: IBLA appeal pending.
6. Silver Peak HMA (NV) AML decision was appealed. BLM withdrew, modified and reissued the decision. No appeal filed on new decision.

### Advisory Board Nominations

Don Glenn gave an overview of the Advisory Board nominations. Selections are pending for the wildlife, livestock, and humane advocacy positions. The deadline to submit nominations for the Public Interest position closed recently and a package is being prepared for the Department. The revised Advisory Board Charter is at the Department. The Board requested that the BLM look into operating with an eight member board. Jeff Rawson said the BLM will review the existing charter concerning this issue

### Facilities Report

Bea Wade provided a facility report for the short-term and long-term holding facilities. On March 26, 2006, there were 7,252 horses and 607 burros in short-term holding, 18,577 horses in long-term holding for a total of 26,436. Bea reported that there are 7,850 horses that are 11 years old and older in the facilities.

She also presented the Pipeline Report that lists the number of adoptions, removals, and facility numbers according to the Wild Horse and Burro Information Database (WHBIS) on March 26, 2006.

### FY2006 Gather Schedule

Approved 07/17/07

Lili Thomas presented the 2006 gather schedule. She added that fewer burros may be gathered in Arizona, and more horses may be gathered in Nevada's Buck and Bald Complex because of recent census data. The gather schedule will be reviewed at the May 2006 Wild Horse and Burro State Lead Meeting. Larry Johnson attended a wildlife/big game meeting in Nevada where they congratulated BLM for their progress on managing horse numbers in Nevada.

The Board asked about progress in setting the remaining AMLs for four Herd Management Areas (HMAs) located in Arizona (one) and Nevada (three). Dean Bolstad reported that they should be completed in FY2006 or FY2007 depending on when the land use plans are completed. Larry Johnson asked for a complete list of HMAs with their AMLs. The BLM noted that the information is located on the National Wild Horse and Burro web site.

#### USDA, Forest Service

Toni Strauss reported that the Forest Service's goal is to establish AML for all territories by the end of FY2008. The Code of Federal Regulation revision is projected to be in draft for public review by the end of December 2006. Census is a challenge for the Forest Service, and they are collaborating with Dr. Dee Mills, Florida International University, to determine if fecal DNA profiling could assist in census. The Board commended the Forest Service for looking outside the box. The In Defense of Animals appeal of the Forest Service decision to remove trespass horses in the Apache-Sitgreaves National Forest is still pending.

#### Facility Report

The Board revisited the facility report and long-term holding and noted that some long-term holding facilities are at capacity and asked if this was of concern and if so, how is the BLM going to deal with it. The BLM is reviewing opportunities to increase the capacity of existing long-term holding facilities. The Board asked if the cost associated with holding additional animals will be a concern to Congress. Jeff Rawson responded that Congress is aware that it is less expensive to hold horses in long-term holding compared to short-term holding. The BLM's need for additional long-term holding space will be clearer when the FY2006 population data is compiled. The Board requested a copy of that information when it is available. Robin Lohnes complimented the BLM for their thorough reports.

#### Sale Authority

Sally Spencer presented an update on Sale Authority. Since the 2005 implementation of Sale Authority, 1,784 animals have been sold. So far, in FY2006, 338 animals have been sold. The 800-710-7595 number and [wildhorse@blm.gov](mailto:wildhorse@blm.gov) site were set up to promote the sales program, provide information, and answer inquiries. There has been an average of five phone calls and five to ten e-mails per day concerning both the sale and adoption program. In July 2005, an OP ED by Secretary Norton was sent to over 50 horse

magazines. In February 2006, letters were sent to over 15,000 public lands ranchers asking for their assistance by purchasing older horses. The BLM received good media coverage. The BLM has had about 30 contacts from ranchers interested in the program. A few sales have been made to ranchers and several more to individuals who read about the letters. There is no planned end to our effort with ranchers. On April 3, 2006, letters were sent to over 300 Equine Rescue Groups. The Save the Mustang Fund is offering an incentive of \$100 for each animal purchased by 501(c)(3) groups. The money will be direct deposited into the group's account once the animals are delivered. This effort is being promoted by Ford Motor Company, Take Pride in America, and the BLM. As of Friday, April 7, 2006, we have had inquiries from several groups that wanted more information. The BLM is hoping to hear from more groups who will be able to help find good homes for the older horses.

The Board inquired if animals purchased through the sale program can be grazed on public lands. Don Glenn responded that once a horse is sold it becomes private property, and that it could be grazed on public land if the owner held a horse grazing permit. He added that no horse grazing permits are authorized in herd management areas.

#### FY06 and FY07 Program Funding and Planned Accomplishments

Don Glenn reviewed the FY2006 program funding, targets and accomplishments to date. The Board asked how much funding was devoted to each program element. He responded that planned amounts are \$339,000 for AML establishment and review; \$4.6 million for adoptions; \$19.5 million for preparation care and feeding animals; \$4.8 million for gathers and removals; \$523,000 for census; \$792,000 for habitat monitoring; and \$989,000 for compliance. Total funding available in FY2006 is \$36.9M with an additional \$2 million available from the USDA, Forest Service funds for work that the BLM completes for them.

Don Glenn reviewed projected units from the FY2007 President's Budget of \$36.3 million. The adoptions and sales target is 8,500 animals and that removals are about 8,000 animals.

#### Census Research and Fertility Control

Dean Bolstad gave an update on census and fertility control research. Two census trials have been conducted since the November 2005 Board meeting: Adobe Town/Salt Wells (WY) and Buck and Bald Complex (NV). The Biological Research Discipline (BRD) does not have capability to begin burro census research until the horse census research project is completed.

Don Glenn reported on a fertility control meeting that the Humane Society of the United States (HSUS) held in November 2005 in New Mexico. HSUS and the BLM agreed to enter into a Memorandum of Understanding (MOU) to further the development and use of contraception in wild horse herds, ensure an adequate PZP vaccine supply and develop an education program for the public. Fertility control drugs are not licensed for use.

Licensing oversight is being transferred from the Food and Drug Administration (FDA) to the Environment Protection Agency (EPA). HSUS will continue to assist the BLM by working with the EPA. The Board asked about the progress on the MOU. The final draft is being reviewed by HSUS.

Dean reported that the 3-4 year agent study is continuing in Canon City, CO. He reported that in FY2006, 305 mares have been treated in 13 HMAs in Oregon, Nevada, Idaho, and Wyoming. He also said that there are plans to treat 300 horses during the remainder FY2006.

Dean indicated that the BLM has enough of the 2 year-agent fertility control drugs on hand to complete planned FY2006 population based treatments. Currently, no adjuvant is available for the manufacture of more two-year time-release pellets needed for FY2007 treatments. HSUS is working with European companies, who own and manufacture the agent, to make the adjuvant available.

Dean reviewed the BLM's response to the Board's August 2004 recommendation to consider the possibility of using vacant public land grazing allotments for long-term holding of unadoptable geldings. The BLM reported that a number of issues preclude using vacant grazing allotments for excess wild horses. The BLM offered an alternative to the Board involving return of non-reproductive animals to existing herd management areas. Advantages cited were long-term holding cost savings and a potential tool for population management. The Board's discussion of this alternative, at their November 2004 meeting, involved treatment and handling of animals at the capture site, impact on herd behavior, social structure and population, impact on the ability to reach AML by FY2007, impact on selective removal policy, and short- and long-term costs and savings.

Jeff Rawson said that the Wild Free-Roaming Horses and Burros Act identify sterilization as a means of population control and achieving AML. The BLM would like to investigate the possibility of putting sterile animals back on the range. There was a general discussion of the issues involved. The Board supported the concept, made a recommendation to develop a program proposal and appointed Board members Dr. Boyd Spratling, Renee Taylor, and Dr. Wayne Burkhardt to work with the BLM as liaisons. The recommendation is: The National Wild Horse and Burro Advisory Board recommends the Bureau of Land Management pursue the development of a program proposal that will consider the use of sterilization as an appropriate management level tool of wild horses on public lands, and will provide a report at the next Board's meeting in July 2006.

There was a short discussion of the status of the wild horse research program. The Board mentioned the 1998 population viability forum and BLM's Strategic Research Plan and asked if it was time to revisit research priorities. Dean responded that the areas identified for research in the Strategic Plan were health and handling, fertility control, population estimation, genetics and habitat assessment/monitoring. He said that current research efforts are addressing the highest priority needs and involve population estimation, fertility control and genetics and that BLM would like to complete existing research

efforts before initiating new initiatives. Ed Shepherd added that BLM is highly committed to rangeland monitoring and is coordinating efforts to monitor wildlife, livestock, wild horses and burros, and recreation impacts on rangelands in a national plan.

The Board asked about the status of the protests to the proposed Land Use Plan decision to maintain the West Douglas Herd Area designation. Don Glenn responded that responses to the protest are being developed by the Director and the Colorado State Director.

#### California Volunteer Pilot Project

Tom Pogacnik, Wild Horse and Burro Specialist, updated the Board on the California Volunteer Pilot Project. He noted that in order for the BLM adoption program to be successful, volunteers must be utilized because they are a powerful asset. The number of volunteers has increased from 40 to over 200 with no formal recruiting effort. Success to date includes creating a data base that lists volunteer location and skills. The volunteers are enhancing animal adoptability through training, providing foster care for animals not adopted, and assisting adopters to have a positive adoption experience (previous adopters adopting new adopters). The Board suggested that California conduct a cost benefit analysis for the California Volunteer Pilot Program. The Board suggested that cost savings be included in the evaluation of the Pilot Program and commended Tom Pogacnik, Janet Neal, and the California volunteers for this effort.

#### Mustang Heritage Foundation

Patti Colbert, Executive Director of the Mustang Heritage Foundation, gave an update on the Foundation's activities. She provided the Board with a quarterly report and announced the appointment of two new board members: Lesley Neuman and John Winnepenninx. The Foundation's website will be up soon and they expect to have a newsletter out within 60 days. She asked for assistance to identify quality people and organizations to work with to ensure that the Foundation becomes an effective organization. Patti will be nominating Wild Horse Annie to the National Cow Girl Hall of Fame. During the discussion, she indicated that one of the Foundation's priorities is to raise money and impact the wild horse program.

#### Current and Future Adoptions

Sally Spencer discussed the current and future adoption program. As of April 3, 2006, 2,407 animals have been adopted in FY2006 with 80 more adoption events to be held. In November 2005, the marketing team met with State leads and public affairs personnel, who promote adoptions in each state, and discussed ways to increase adoption promotion. Results included creating T-shirts, hats, and posters; continuing to work with the Marketing Team to create professional ads and flyers; creating a new education video for beginners through successful adopters; and adding a new adoption location GIS element. The BLM is also looking at shipping the most adoptable horses to events. The BLM will increase the use of the Internet by continuing with the National Internet Adoption and

Shipping Network program at Palomino Valley Center (PVC) and posting photos of horses being offered for adoption on websites. The Eastern States Office and California are increasing adoption numbers through a fostering program. Nevada and Eastern States advertised adoption contracts, but there was little interest and no qualified proposals. BLM is continuing to work with partners. Least Resistance Training Concepts (LRTC) wild horse mentors are working with PVC to present and demonstrate gentling techniques at the facilities' adoption events. The BLM has been meeting with the American Endurance Ride Conference (AERC) to explore setting up endurance rides around the BLM facilities. Nevada BLM is working with the Girl Scouts of America Council of the Sierra Nevada to develop a Wild Horse and Burro Patch program.

The Board asked if all states are following the National Adoption Plan and Sally responded that states are, however, we still need to work on communication. The Board asked what BLM could do to increase adoptions. Sally responded that BLM would like to have more trained horses and hold adoptions in untapped markets. Jeff Rawson added that we need more adoption contracts and private store fronts.

Public comments began at 3:05 pm.

#### Advisory Board Recommendation

In addition to the Board's single recommendation (attached), they requested that the BLM look into the financial and operational impacts of having a trainer at short-term holding facilities.

#### Upcoming Meetings

July 17, 2006 – Salt Lake City, Utah. BLM will explore the feasibility of a field trip to a gather. Four Board members indicated interest.

November 6, 2006 – Las Vegas, Nevada

At 4:00 PM, Robin Lohnes, Board Chairperson, inquired if there were any additional public comments, there were none.

Meeting was adjourned at 4:03 p.m.

National Wild Horse and Burro Advisory Board Recommendation

Sacramento, California

April 10, 2006

1. The National Wild Horse and Burro Advisory Board recommends the Bureau of Land Management pursue the development of a program proposal that will consider the use of sterilization as an appropriate management level tool of wild horses on public lands, and will provide a report at the next Board's meeting in July 2006.

Approved 07/17/07